

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>JAMES WHITE,</b>	:	
<b>Petitioner,</b>	:	
<b>vs.</b>	:	<b>CIVIL ACTION 08-00140-KD-B</b>
<b>WARDEN LOUIS BOYD,</b>	:	
<b>Respondent.</b>	:	

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a de novo determination of those portions of the Recommendation to which objection is made, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that this action be and is hereby **DISMISSED** with prejudice as time-barred.

DONE this 4th day of August, 2009.

**s/ Kristi K. DuBose**  
**KRISTI K. DuBOSE**  
**UNITED STATES DISTRICT JUDGE**